

**TOWN OF SEVEL DEVILS  
TOWN COUNCIL  
MINUTES – REGULAR SESSION  
January 10, 2011**

The Seven Devils Town Council met in regular session on Monday, January 10, 2011, at Town Hall. Present were Mayor Bob Dodson, Mayor Pro Tem Kathy Copley, Council Members Richard DeMott and Kay Ehlinger. Member Ehmig was absent and excused. Town Manager Ed Evans and Town Attorney Rob Angle were also present. The minutes were recorded by Beth Taylor, Town Clerk.

**CALL TO ORDER**

Mayor Dodson called the meeting to order at 5:34 p.m.

**PLEDGE OF ALLEGIANCE**

Council members and citizens recited the Pledge of Allegiance.

**ADOPT AGENDA**

Member DeMott made a motion to adopt the agenda. Member Ehlinger seconded the motion. The members agreed unanimously.

**APPROVAL OF MINUTES:  
DECEMBER 13, REGULAR MEETING**

Mayor Dodson pointed out a typo on the first page under ‘**Citizen Comments**’, the fifth line up from the bottom, the word ‘Manger’ should be ‘Manager’.

Mayor Pro Tem Copley wanted to clarify on page 2, first paragraph, the sixth line down, that ‘He’ should be changed to ‘Steve’ in the sentence “He assures us...”

Mayor Pro Tem wanted to add the words ‘on the loan’ to the first sentence on page 2, under section **D. Approval of the LGC application for water projects**, before “...on December 16th via a telephone conference.”

Mayor Pro Tem also pointed out the typo on page one, the first sentence under **Approval of Minutes**. The word ‘Temp’ should be ‘Tem’ in the sentence “Mayor Pro Temp Copley...”

A motion was made by Member DeMott to approve the December 13 minutes as amended. The motion was seconded by Mayor Pro Tem Copley. The members agreed unanimously.

**CITIZEN COMMENTS**

None

**ADMINISTRATIVE UPDATE & CALENDAR**

Manager Evans clarified that the last minute handouts were from an e-mail received from the High Country ABC Board containing a sample letter to send to the legislators regarding privatizing the sale of alcohol in North Carolina.

Manager Evans stated that he received a call from the Boone Area Chamber of Commerce inviting all the elected officials, along with Manager Evans, to the Legislative Reception to be held in Blowing Rock on January 25, 2011 from 5:30-7:00. The Boone Area Chamber of Commerce stated that they would like for at least one elected official from each Town to attend. After some discussion, Mayor Pro Tem Copley confirmed that she would be willing to attend, weather permitting.

In response to several Members questions, Manager Evans explained that the last sentence in the Administrative Update item 7 should be: “Thus, the earliest it could be presented to the Town Council is the March meeting.”

Mayor Dodson inquired about where the monitors were to be set up in order to monitor the slope. Manager Evans replied that he could not specify exactly where they will be placed, but said that they would be in the general area of the slide that occurred in 2004. Evans further clarified it would be on the left hand lane going down the mountain. Mayor Pro Tem wanted to know if Manager Evans knew when the monitors would be installed to which Evans replied they would be installed as soon as the weather permits according to the NCDOT.

**OLD BUSINESS****Resolution – Water Shortage Response Plan – Carry over to February****Water Use Ordinance Revision – Carry over to February****Automated telephone notification possibility for Emergency Shelter, et al.**

Manager Evans stated that the first action we could take, which was brought up by Member Ehlinger in our last Meeting, was to put up signs letting residence know when the shelter is open. He further stated that he looked into the possibility of implementing the reverse 911 solution that Mayor Pro Tem Copley suggested in the last Meeting. After speaking with three companies that could provide a reverse 911 system, Evans discovered the cost may not be worth it in a Town our size considering we wouldn't be using it often. Mayor Pro Tem Copley stated that the reason she brought it up is that she thought the County provided the program; she didn't realize there would be a cost to the Town.

Manager Evans stated that if the Town wanted to use this system we would have to issue a contract with one of the companies he spoke with. That company would then use a GIS data base (phone company, utility companies) to compile a database of names and telephone numbers. We would then contract them for approximately \$4,000 a year plus 5 1/2 cents per name. Based on the number of residents we have and how frequently we would use this, the approximate cost to the Town a year would be around \$2,500-\$3,000. The Town would be responsible for compiling our own contact list, due to the fact most of our residents are seasonal and rely on cell phones. Mayor Pro Tem Copley inquired if there was the possibility of grant money for this as a Public Safety issue. She doesn't want the Town paying for this and thought maybe a grant could cover it. Mayor Dodson stated that they did not issue grants that would cover the total cost. After further discussion by the Council Members regarding the high cost and the likelihood the Town would even use such a system enough to justify the expense, Manager Evans asked if this is a closed issue to which the Members unanimously replied it was. The Town will not be using a reverse 911 system at this time.

**~CLOSED~**

**NEW BUSINESS****Discussion of any additional municipal goals to be presented for the Advocacy Goals Conference (should be received by the NCLM by January 14 to undergo screening if possible)**

Discussion ensued. No additional goals were determined. **~CLOSED~**

**Authorizing the Town Manager to be a voting delegate at the Advocacy Goals Conference**

Mayor Pro Tem Copley made a motion to authorize Manager Evans to be a voting delegate at the Advocacy Goals Conference. Member Ehlinger seconded the motion. The members agreed unanimously. **~CLOSED~**

**Proposed changes to the Personnel/Employee Handbook (travel, meals, per diem)**

After discussing the proposed changes to the Personnel/Employee Handbook presented by the Town Manager and included in the Town Council packet, the following changes were made:

In Article X, Other Policies, Section 1. Travel Policy, bullet D 1 Specific Guidelines – Subsistence, Lodging and Other Expenses, after the first sentence beginning with “Personnel traveling away from the Town...” **add the website where the State per diem rates can be found.**

In Article X, Other Polices, Section 1. Travel Policy, bullet D 4 Meals and Day to Day Activities, Under Receipts, change “Specific **dates of lodging** must be listed...” to “Specific **meals** must be listed...” and eliminate the following sentence “Receipts for the actual cost of registration must be included with the Request for Reimbursement.”

In Article X, Other Polices, Section 1. Travel Policy, bullet E take out the words ‘and payment’ from the following sentence, “All reimbursement requests involving travel advances shall be submitted to the Town Manager for approval **and payment...**”

In Article X, Other Polices, Section 1. Travel Policy, bullet F add ‘, meals’ to the following sentence, “All written travel claims signed by the traveler and accompanied by receipts for hotel, **meals** and ...”

Mayor Pro Tem Copley made a motion to approve the proposed changes to the Personnel/Employee Handbook as amended. Mayor Dodson seconded the motion. The members agreed unanimously. **~CLOSED~**

**Budget Amendment**

Member DeMott made a motion to adopt the proposed Budget Amendment to transfer \$2,500 from account 10-545-35 (a portion of the balance of 2009 Christmas Storm) to account 10-545-58 (RBC Bank Loan Fee). Mayor Pro Tem Copley seconded the motion. It was agreed upon unanimously.

~**CLOSED**~

### **Proposed amendment to Zoning Table 5.1 and definition change**

Member Ehlinger asked if this proposed amendment is something started by the Planning Board or the Town Council. Manager Evans replied that the Planning Board started it back in October 2010 when the Planning Board, Manager Evans, and the HCCOG were reviewing the Ordinances for compliance with general statutes. Evans told the Council that one of the recommendations made by the HCCOG was to change the permitted uses listed in the Recreational Business (RB) Zone. The HCCOG suggested the Town make what is actually occurring and what has been allowed in the Zone the 'Permitted Uses'. That would allow skiing, tubing, zipping, golfing, and biking in the RB Zone. Evans explained that during the October Planning Board meeting, after discussing the suggested permitted uses mentioned, the Planning Board decided that they did not want those to be listed as 'Permitted Uses' in the Ordinance. Rather they would like them to be listed as 'Conditional Uses'. Manager Evans continued by stating that the Planning Board did not have as much time to sort this out as originally thought because Evans has been approached with the idea of expanding the zipline. Evans stated the next step would be to schedule a Public Hearing. Mayor Dodson asked if there was a motion to that effect. Mayor Pro Tem Copley made a motion to "schedule a public hearing to consider the proposed amendment to the Zoning Ordinance Table 5.1, permitted uses." Member DeMott seconded the motion. The Members agreed unanimously. ~**OPEN**~

### **Report on activities of the HCCOG and RTAC (Member DeMott)**

Member DeMott gave a brief report on the activities of the HCCOG and RTAC (Rural Transportation Advisory Committee). He also included a handout along with a booklet to each of the Council Members regarding the activities of the HCCOG. Some of the benefits include providing housing to those in need, job training and support, and many other things vital to our community. The HCCOG has been a big advocate of getting the Counties involved with activities such as Operation Medicine Cabinet. Member DeMott further stated that they are working on projects to widen/improve the condition of the roads in the area. ~**CLOSED**~

### **Proposed Budget Calendar for FY11-12**

After reviewing the dates on the Proposed Budget Calendar for FY11-12 handout provided in the Town Council packets provided, the following changes were made:

The date of the **Town Council Budget Workshop 10 a.m. to Noon** was changed from April 21, 2011 to April 28, 2011.

They added the date of June 9, 2011 as a potential workshop.

Mayor Pro Tem Copley made a motion to adopt the Proposed Budget Calendar for FY 11-12 as amended. Member DeMott seconded the motion. The members agreed unanimously. ~**CLOSED**~

### **Board and Committee appointments**

Member Ehlinger made a motion to re-appoint Larry Fontaine, Barry Isquith, Butch McLean and Mike Tarlton to the Planning Board for another term. Member DeMott seconded the motion. The members agreed unanimously.

Member Ehlinger made a motion to re-appoint Kathy Copley and Carol Isquith to the Board of Adjustment for another term and re-appointing Ernie St. Louis as an alternate for the Board of Adjustment. Member DeMott seconded the motion. The members agreed unanimously.

Mayor Pro Tem Copley made a motion to re-appoint Carol Isquith and Bill Wilkinson to the Tourism Development Authority for another term and to officially re-appoint Tom Gidley whose term began January 1, 2010. (Evans stated that re-appointing Tom Gidley was necessary because he could not find that this action was recorded in previous minutes.) Mayor Dodson seconded the motion. The members agreed unanimously.

~**CLOSED**~

### **Watauga County Recreation Commission appointment**

Manager Evans contacted Stephen Poulos at the Watauga County Parks and Recreation Department to find if Seven Devils is supposed to have a representative on the Recreation Commission and Mr. Poulos stated that we are. However, he stated that no one has come. Mark Garrett was supposed to be our representative but he never attended. Manager Evans asked if we still had the option of

appointing someone to serve as the Town representative and Mr. Poulos said we do and that it should be an elected official if possible. Manager Evans further stated that he inquired of Mr. Poulos that if we did not have an elected official who could be our representative, could someone else represent the Town. Mr. Poulos replied that he felt the Watauga County Commissioners would consider another candidate. Mayor Pro Tem Copley stated that when she came on the Council she was appointed to it, but was not a regular attender due to the inconsistency of their schedule. She further stated that most of the decisions to be made were done in advance so she didn't feel like she was making a difference. At the time, they were not talking about recreation in Seven Devils and she did not feel like she was a useful member of the group. Mayor Pro Tem Copley further stated that she brought that up in a Council meeting and Mark Garrett was appointed but never attended. Mayor Pro Tem Copley suggested that someone from the Recreation Committee, such as Anne Fontaine, be our representative since they would have better understanding of what would benefit us (i.e., grants, planning, etc.). Mayor Dodson asked if there was a way that we could get copies of the minutes. Manager Evans stated that he thought you could get the minutes from the Watauga County website. After further discussion about the merit of having a representative on the Recreation Commission, Mayor Pro Tem Copley made a motion to have Manager Evans contact a representative from our Recreation Committee to see if they would like to serve as the Towns representative at the Watauga County Recreation Commission. If they agree, have Manager Evans contact Steve Poulos, the Director of Watauga County Parks and Recreation Department, to see if he would request permission from the County Commissioners. Member DeMott seconded the motion. The members agreed unanimously. **~CLOSED~**

#### **Travel request – Town Manager to NCCCMA Conference (February 2-5)**

Mayor Dodson made a motion to approve the travel request for Manager Evans to attend the NCCCMA Conference February 2-5, 2011. Member DeMott seconded the motion. The members agreed unanimously. **~CLOSED~**

#### **COMMITTEE REPORTS**

**Planning Board (no meeting in December)**

**Public Works (no meeting in December)**

**Public Safety Committee (no meeting in December)**

**Recreation Commission (no Quorum)**

**ABC Board**

**TDA (no meeting in December)**

**Public Safety Department**

**-Police Report**

**-Fire Report**

**Financial Report**

Mayor Pro Tem Copley, speaking in reference to the Financial Report, wanted to know if the timing of the distributions is the reason that some of the revenue we are expecting in some categories has not been received. Manager Evans stated that her assumption is correct and that we do expect to receive all of the revenues on the report. Mayor Pro Tem Copley wanted to know if we expect the sales tax to be more as well. Manager Evans said we do. Mayor Dodson inquired about the appropriated fund balance and whether or not we have any plans to use it. Manager Evans stated that it is a bit of a catch all, and that he would rather not use it unless necessary, although he stated that the funds might be needed for the Devils Lake Culvert project.

Mayor Dodson made a motion to approve the financial report. Mayor Pro Tem Copley seconded the motion. The members agreed unanimously.

#### **COUNCIL COMMENTS**

Mayor Pro Tem Copley mentioned that she found this issue of the ECHO to be very informative and that she had finally gone to review the information on our website. She stated that she was surprised at all the useful information there.

#### **ADJOURN**

Mayor Dodson made a motion to adjourn. Member Ehlinger seconded the motion. The members agreed unanimously. The meeting was adjourned at 7:24 pm.

---

Bob Dodson, Mayor

---

Beth Taylor, Town Clerk